

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CRIMINAL MINUTES

Date: March 1, 2022

Time: 9:07-10:00 am

Judge: Edward J. Davila

Total Time: 53 Mins.

Case No.: 18-cr-00258-EJD-2

Case Name: *UNITED STATES v. Ramesh Sunny Balwani (P)(NC)*

Attorney for Plaintiff: Jeffrey Schenk, John Bostic, Robert Leach, Kelly Volkar

Attorney for Defendant: Jeffrey Coopersmith, Amy Walsh, Stephen Cazares, Aaron Brecher

Deputy Clerk: Cheré Robinson

Court Reporter: Irene Rodriguez

Interpreter: N/A

Probation Officer: N/A

PROCEEDINGS – FINAL PRETRIAL CONFERENCE

Defendant is present and out of custody. Hearing held.

The trial schedule will be Tuesday, Wednesday and Friday from 9:00 am to 3:00 pm and will be adjusted as necessary. 12 Jurors to be seated for trial and six alternates will be chosen. Counsel will confer and provide the Court with stipulated preliminary jury instruction related to Model Instruction No. 1.2. The Court will consider additional stipulated instructions presented. Fact witnesses shall be excluded from the courtroom during testimony, and fact witnesses shall not discuss their testimony with anyone. Experts and Case Agents are exempt from witness exclusion order.

Under federal law, including Rule 5(f) of the Federal Rules of Criminal Procedure, *Brady v. Maryland*, 373 U.S. 83 (1963), and all applicable decisions interpreting *Brady*, the government has a continuing obligation to produce all information or evidence known to the government that is relevant to the guilt or punishment of a defendant, including, but not limited to, exculpatory evidence.

Accordingly, the Court Orders the government to produce to the defendant in a timely manner all information or evidence known to the government that is either: (1) relevant to the defendant's guilt or punishment; or (2) favorable to the defendant on the issue of guilt or punishment.

P/NP: Present, Not Present
C/NC: Custody, Not in Custody
I: Interpreter

Cheré Robinson
Courtroom Deputy
Original: Efiled

This Order is entered under Rule 5(f) and does not relieve any party in this matter of any other discovery obligation. The consequences for violating either this Order or the government's obligations under *Brady* include, but are not limited to, the following: contempt, sanction, referral to a disciplinary authority, adverse jury instruction, exclusion of evidence, and dismissal of charges.

EXCLUDABLE DELAY: Previously ordered.

Category – Effective preparation of Counsel

Ends: 3/9/2022

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C/NC: Custody, Not in Custody
I: Interpreter

Cheré Robinson
Courtroom Deputy
Original: Efiled